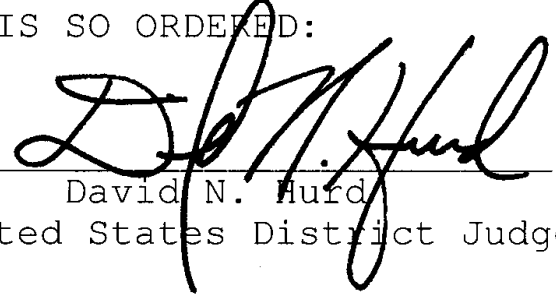


IT IS SO ORDERED:



David N. Hurd

United States District Judge

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

GARY SPAVEN,

Plaintiff,

v.

TOWN OF KIRKLAND ET AL.,

Defendants.

Dated: August 6, 2015

Utica, NY

**STIPULATION OF
DISCONTINUANCE**

Case No.: 6:14-CV-00240

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure and Rule 41.3 of the Local Rules of the Northern District of New York, by and between the undersigned, the attorneys of record for all parties to the above-entitled action, that, whereas no party hereto is an infant or incompetent person, the above-entitled action and any claims and counterclaims be, and the same hereby is, dismissed in its entirety with prejudice. Counsel for Plaintiff Gary Spaven has consented to the electronic filing of this document by counsel for Defendants.

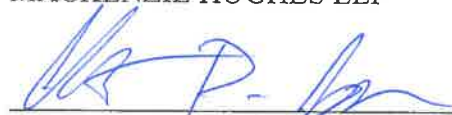
Dated: JULY 13, 2015



Norman Deep, Esq.
Attorneys for Plaintiffs
6599 Martin Street
Rome, New York 13440

Dated: July 15, 2015

MACKENZIE HUGHES LLP



Christian P. Jones, Esq.
Attorneys for Defendants
101 South Salina Street
Suite 600
P.O. Box 4967
Syracuse, New York 13221-4967